Remarks

Claims 28, 29, 32, and 34-50 are pending in the application. Claims 28, 29, 32, and 34-50 were rejected. Claims 30, 31, and 33 were previously canceled without prejudice to or disclaimer of the subject matter recited therein. Claim 28 is amended. Claims 28 and 39 are the independent claims. Reconsideration of the amended application is respectfully requested.

The examiner rejected claims 28, 29, 32, and 34-38 as being indefinite. In particular, the examiner cited claim 28, lines 6-10 as being unclear. The language of claim 28 has been clarified. The rejection, therefore, should be withdrawn.

The examiner rejected claims 28, 29, 32, and 34-50 as being unpatentable over Van Horne et al.

Independent claim 28 recites a method of automatically recording Internet activity performed by a user on behalf of a client of the user. According to the claimed method, the user initiates a client session by opening an Internet browser window. User access to the Internet is denied. The user is automatically prompted for a user identifier, and a client identifier and/or a client matter identifier. The user provides the user identifier, and the client identifier and/or the client matter identifier. User access to the Internet is allowed on provision by the user of the user identifier and the client identifier and/or the client matter identifier. Internet activity is performed by the user on behalf of the client. A start time value is automatically generated based at least in part on a start time of the Internet activity. A completion time value is automatically generated based at least in part on a completion time of the Internet activity. An activity record is automatically

generated corresponding to the Internet activity performed by the user between the start time and the completion time. A session record is automatically stored including the start time value, the completion time value, and a listing of pages and files accessed by the user while performing the Internet activity. A bill and/or a report are automatically generated based at least in part on the session record. The bill and/or the report are forwarded to the client. The Internet activity includes accessing at least one of publicly-available pages and files via the Internet.

In contrast, Van Horne et al. disclose a communications network connection system and method. As disclosed, this system connects a number of client systems to a server system and provides network access to the client systems through the server system. For example, a client system including a computer can connect to the Internet via the server. The server software tracks and records billing charges for each client system. See column 4, lines 7-20.

Thus, where claim 28 recites a method of recording Internet activity performed by a user on behalf of a client (customer) of a user, Van Horne et al. disclose a method of providing Internet access to a user at a client node. Van Horne et al. do not disclose a user who performs activity on behalf of a client, and therefore does not disclose or suggest prompting the user for a client identifier and/or a client matter identifier, as recited in claim 28. Further, Van Horne et al. disclose storing session time duration, as well as configuration and registry settings, but do not disclose or suggest including a listing of pages and files accessed by the user in a session record. Van Horne et al. disclose presenting billing options to a user at a client station, for the purpose of charging

the user for connection time to the network and payment to the server administrator, but do not disclose or suggest forwarding a bill to a client (customer) of the user, as recited in claim 28.

The examiner asserted that it is common knowledge in the consulting art to provide a client identifier and a client matter identifier for billing purposes. However, it is not well-known to automatically prompt a user for a client identifier and/or a client matter identifier as part of a method as recited in claim 28. Van Horne et al. do not suggest this feature, because the Van Horne et al. system is not set up for a user to track activity performed for particular clients of the user. Rather, Van Horne et al. disclose a user who is the client, and whose activity is tracked so that the user can be billed. The user is the client of the Van Horne et al. system, and Van Horne et al. does not disclose or suggest that this user would have clients of his or her own, on whose behalf the user performs the network activity, and who would be receiving a bill for activity performed by the user.

The examiner used the example of a patent searcher providing a service for a client. The examiner did not provide any details for this example, but it is presumed that this searcher is performing an on-line search on behalf of a client, and will bill that client for the searching activity. According to the claimed method, the searcher would be prompted for client identification and/or client matter identification, so that a session record could be compiled for the searcher's client and so that billing information could be compiled for the searcher to bill the client. In contrast, according to the Van Horne et al. system, the searcher would be prompted for the searcher's identification, to be used to

bill the searcher at the end of the session. Van Horne et al. do not contemplate billing the searcher's client, or making it easier for the searcher to bill the searcher's client. Van Horne et al. are only concerned with billing the searcher. It is well-known that a searcher would then bill his or her client based on the time spent doing the search, but it is not well-known to have the system automatically prompt the searcher for client information and to generate a bill to the searcher's client at the end of the session, as recited in claim 28.

The examiner asserted that the official notice stated in the Action dated November 26, 2004 is deemed conceded because no traversal was lodged. That official notice is not conceded, and no traversal was lodged because traversal was not necessary to overcome the associated rejection. In any case, that official notice stated that "recording the start/finish time of Internet activity by a user on behalf of a client and generating a bill and a report based at least in part on a session record was well known and common knowledge in the computer usage consulting art." While this statement might be true, claim 28 recites that a start time value and a completion time value are generated automatically. The examiner did not assert that this feature is well-known, nor did the examiner demonstrate that the prior art teaches this feature.

Further, there are elements of claim 28 that the examiner has not addressed. For example, claim 28 recites automatically storing a session record that includes a listing of pages and files accessed by the user while performing the Internet activity. Van Horne et al. do not disclose or suggest this feature, and the examiner has not asserted that this feature was well-known to those of skill in the art at the time the claimed invention was

made. It is submitted that this feature and other features of the claimed invention were not well-known to those of skill in the art, and it is respectfully submitted that the examiner has not established a *prima facie* case of obviousness with respect to claim 28.

For at least the reasons noted above, it is submitted that Van Horne et al. do not render obvious the invention recited in claim 28. Claims 29, 32, and 34-38 depend from claim 28 and therefore also are not rendered obvious by Van Horne et al., for the reasons stated above as well as because of the additional features recited by those claims. The examiner asserted that the dependent claims recite common-knowledge features, without providing details or support for this assertion. It is respectfully submitted that this contention is not supportable. For example, claim 36 recites that the activity record recited in claim 28 includes information identifying at least one of times of URL entries made by the user, selections of hyperlinks by the user, and input device events performed by the user. It is submitted that this feature was not commonly-known, and is not obvious in view of the teachings or suggestions of Van Horne et al. or the common knowledge of those skilled in the art.

For at least the reasons stated above, the rejection of claims 28, 29, 32, and 34-38 should be withdrawn.

Independent claim 39 recites a process of automatically recording Internet activity performed by a user on behalf of a client of the user. According to the claimed process, a computer is provided with communication connection to the Internet. A client session is begun by launching a Web browser program on the computer. The user is automatically prompted for user identification information, and client identification information and/or

client matter identification information. The browser is allowed to fetch information via the Internet only on receipt of the user identification information and the client identification information and/or client matter identification information. At least one request for information is entered via the Internet though use of the Web browser program. The client session is ended. A session record of the client session is automatically generated. The session record includes an indication of the time duration of the client session, and a listing of all requests for information entered during the client session. At least a portion of a bill is automatically generated based at least in part on the session record and on a billing rate for the user. The bill is sent to the client.

In contrast, Van Horne et al. disclose a communications network connection system and method. As disclosed, this system connects a number of client systems to a server system and provides network access to the client systems through the server system. For example, a client system including a computer can connect to the Internet via the server. The server software tracks and records billing charges for each client system. See column 4, lines 7-20.

Thus, where claim 39 recites a process of automatically recording Internet activity performed by a user on behalf of a client (customer) of a user, Van Horne et al. disclose a method of providing Internet access to a user at a client node. Van Horne et al. do not disclose a user who performs activity on behalf of a client, and therefore does not disclose or suggest prompting the user for a client identifier and/or a client matter identifier, as recited in claim 39. Further, Van Horne et al. disclose storing session time duration, as well as configuration and registry settings, but do not disclose or suggest

automatically generating a listing of all requests for information entered during a client session in a session record, as recited in claim 39. Van Horne et al. disclose presenting billing options to a user at a client station, for the purpose of charging the user for connection time to the network and payment to the server administrator, but do not disclose or suggest automatically generating a bill based on a session record, as recited in claim 39.

The examiner asserted that it is common knowledge in the consulting art to provide a client identifier and a client matter identifier for billing purposes. However, it is not well-known to automatically prompt a user for a client identifier and/or a client matter identifier as part of a method as recited in claim 39. Van Horne et al. do not suggest this feature, because the Van Horne et al. system is not set up for a user to track activity performed for particular clients of the user. Rather, Van Horne et al. disclose a user who is the client, and whose activity is tracked so that the user can be billed. The user is the client of the Van Horne et al. system, and Van Horne et al. does not disclose or suggest that this user would have clients of his or her own, on whose behalf the user performs the network activity, and who would be receiving a bill for activity performed by the user.

The examiner used the example of a patent searcher providing a service for a client. The examiner did not provide any details for this example, but it is presumed that this searcher is performing an on-line search on behalf of a client, and will bill that client for the searching activity. According to the claimed method, the searcher would be prompted for client identification and/or client matter identification, so that a session

record could be compiled for the searcher's client and so that billing information could be compiled for the searcher to bill the client. In contrast, according to the Van Horne et al. system, the searcher would be prompted for the searcher's identification, to be used to bill the searcher at the end of the session. Van Horne et al. do not contemplate billing the searcher's client, or making it easier for the searcher to bill the searcher's client. Van Horne et al. are only concerned with billing the searcher. It is well-known that a searcher would then bill his or her client based on the time spent doing the search, but it is not well-known to have the system automatically prompt the searcher for client information and to generate a bill to the searcher's client at the end of the session, as recited in claim 39.

The examiner asserted that the official notice stated in the Action dated November 26, 2004 is deemed conceded because no traversal was lodged. That official notice is not conceded, and no traversal was lodged because traversal was not necessary to overcome the associated rejection. In any case, that official notice stated that "recording the start/finish time of Internet activity by a user on behalf of a client and generating a bill and a report based at least in part on a session record was well known and common knowledge in the computer usage consulting art." While this statement might be true, claim 39 recites that an indication of the time duration of the client session is generated automatically. The examiner did not assert that this feature is well-known, nor did the examiner demonstrate that the prior art teaches this feature.

Further, there are elements of claim 39 that the examiner has not addressed. For example, claim 39 recites automatically generating a session record of the client session,

wherein the session record includes a listing of all requests for information entered during the client session. It is submitted that this feature and other features of the claimed invention were not well-known to those of skill in the art, and it is respectfully submitted that the examiner has not established a *prima facie* case of obviousness with respect to claim 39.

For at least the reasons noted above, it is submitted that Van Horne et al. do not render obvious the invention recited in claim 39. Claims 40-50 depend from claim 39 and therefore also are not rendered obvious by Van Horne et al., for the reasons stated above as well as because of the additional features recited by those claims. The examiner asserted that the dependent claims recite common-knowledge features, without providing details or support for this assertion. It is respectfully submitted that this contention is not supportable. For example, claim 50 recites a magnetic storage medium, comprising instructions that are readable by a processor and that cause the processor to execute the process of claim 39. Van Horne et al. do not disclose or suggest this feature, and the examiner has not asserted that this feature was well-known to those of skill in the art at the time the claimed invention was made. The examiner asserted that it is common practice for a user, such as a patent searcher, to keep track of client matters and search times, but has not demonstrated that it was common practice to have these functions performed automatically by a processor, or that this feature would have been known to be advantageous. It is submitted that this feature was not commonly-known, and is not obvious in view of the teachings or suggestions of Van Horne et al. or the common knowledge of those skilled in the art.

For at least the reasons stated above, the rejection of claims 40-50 should be withdrawn.

Based on the foregoing, it is submitted that all rejections have been overcome. It is therefore requested that the Amendment be entered, the claims allowed, and the case passed to issue.

Respectfully submitted,

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Date

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